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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 GLENN EDWARD MERRIFIELD,

11 Plaintiff,

No. CIV S-08-1952 GGH P

12 vs.

13 SANTA BARBARA COUNTY JAIL,

14 Defendants.

ORDER

15 \_\_\_\_\_/  
16 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant  
17 to 42 U.S.C. § 1983.<sup>1</sup>

18 The federal venue statute requires that a civil action, other than one based on  
19 diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all  
20 defendants reside in the same State, (2) a judicial district in which a substantial part of the events  
21 or omissions giving rise to the claim occurred, or a substantial part of property that is the subject  
22 of the action is situated, or (3) a judicial district in which any defendant may be found, if there is  
23 no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

24 In this case, the defendants are located and the claims, to the extent legible, arose  
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26 <sup>1</sup> Plaintiff has not filed an application to proceed in forma pauperis or paid the filing fee.

1 in Santa Barbara County, which is in the Central District of California. Therefore, plaintiff's  
2 claim should have been filed in the United States District Court for the Central District of  
3 California. In the interest of justice, a federal court may transfer a complaint filed in the wrong  
4 district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932  
5 (D.C. Cir. 1974).

6 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the  
7 United States District Court for the Central District of California.

8 DATED: 08/26/08

/s/ Gregory G. Hollows

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GREGORY G. HOLLOWS  
UNITED STATES MAGISTRATE JUDGE

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